



PATENT

Atty Docket No. 23600.02101

COMBINED DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

ADAPTIVE DOWNSTREAM MODULATION SCHEME FOR BROADBAND WIRELESS ACCESS SYSTEMS

the specification of which (check one) ___ is attached hereto or X was filed on March 7, 2001 as Application No. 09/801,149 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

Yes

No

Number	Country	Day/Month/Year Filed
Number	Country	Day/Month/Year Filed

Number	Country	Day/Month/Year Filed
Number	Country	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) below.

<u>60/187,567</u>	<u>March 7, 2000</u>
Application Number	Filing Date

Application Number	Filing Date
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I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Filing Date	Status: Patented, Pending, Abandoned
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I HEREBY APPOINT THE FOLLOWING AS MY ATTORNEYS WITH FULL POWER OF SUBSTITUTION TO PROSECUTE THIS APPLICATION AND TRANSACT ALL BUSINESS IN THE PATENT OFFICE CONNECTED THEREWITH:

Attorney

Reg. No.

J. William Wigert	24,582
Nathan P. Koenig	38,210
Doyle B. Johnson	39,240
Malcolm B. Wittenberg	27,028
Tobi Clinton	43,553
John W. Carpenter	39,129

Send correspondence to:

John W. Carpenter
CROSBY, HEAFEY, ROACH & MAY
P.O. Box 7936
San Francisco, CA 94120-7936
DID Ph.: 415-659-5927
Ph.: 415-543-8700
Fax: 415-391-8269

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Menashe Shahar

Inventor's signature 

Date: August 10, 2001

Residence: 16 Kirati, Ramat-Gan, Israel

Citizenship: Israel

Post Office Address: 16 Kirati, Ramat-Gan, Israel

Full name of joint or second inventor: Raul Asia

Inventor's signature _____

Date: _____, 2001

Residence: 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Citizenship: Israel

Post Office Address: 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Full name of joint or third inventor: Amnon Jonas

Inventor's signature _____

Date: _____, 2001

Residence: 7A Byalik, Jerusalem, Israel

Citizenship: Israel

Post Office Address: 7A Byalik, Jerusalem, Israel

Full name of joint or fourth inventor: Yonatan Manor

Inventor's signature _____

Date: _____, 2001

Residence: 16 Einstein St., 34604 Haifa, Israel

Citizenship: Israel

Post Office Address: 16 Einstein St., 34604, Israel

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Full name of sole or first inventor: Menashe Shahar

Inventor's signature _____

Date: _____, 2001

Residence: 16 Kirati, Ramat-Gan, Israel

Citizenship: Israel

Post Office Address: 16 Kirati, Ramat-Gan, Israel

Full name of joint or second inventor: Raul Asia

Inventor's signature Raul Asia _____

Date: 12 AUG, 2001

Residence: 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Citizenship: Israel

Post Office Address: 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Full name of joint or third inventor: Amnon Jonas

Inventor's signature Amnon Jonas

Date: 4-SEP-2001, 2001

Residence: 7A Byalik, Jerusalem, Israel

Citizenship: Israel

Post Office Address: 7A Byalik, Jerusalem, Israel

Full name of joint or fourth inventor: Yonatan Manor

Inventor's signature _____

Date: _____, 2001

Residence: 16 Einstein St., 34604 Haifa, Israel

Citizenship: Israel

Post Office Address: 16 Einstein St., 34604, Israel



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Full name of sole or first inventor: Menashe Shahar

Inventor's signature _____

Date: _____, 2001

Residence: 16 Kirati, Ramat-Gan, Israel

Citizenship: Israel

Post Office Address: 16 Kirati, Ramat-Gan, Israel

Full name of joint or second inventor: Raul Asla

Inventor's signature _____

Date: _____, 2001

Residence: 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Citizenship: Israel

Post Office Address: 8 Dan Pegis, Apt. 2, Jerusalem, Israel

Full name of joint or third inventor: Amnon Jonas

Inventor's signature _____

Date: _____, 2001

Residence: 7A Byalik, Jerusalem, Israel

Citizenship: Israel

Post Office Address: 7A Byalik, Jerusalem, Israel

Full name of joint or fourth inventor: Yonatan Manor

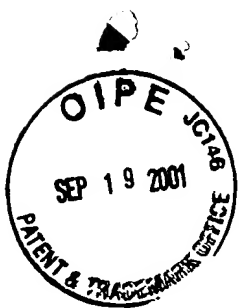
Inventor's signature Yonatan Manor

Date: Sept 3 2001, 2001

Residence: 16 Einstein St., 34604 Haifa, Israel

Citizenship: Israel

Post Office Address: 16 Einstein St., 34604, Israel



Attorney's Docket No. 23600.02101 - PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:
Menashe Shahar et al.

Examiner: Not yet assigned

Group Art Unit: 2631

For: ADAPTIVE DOWNSTREAM
MODULATION SCHEME FOR
BROADBAND WIRELESS ACCESS
SYSTEMS

Serial No. 09/801,149

Filed: March 7, 2001

WITHDRAWAL OF SMALL ENTITY STATUS

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In accordance with 37 C.F.R. § 1.28, Applicant, through the undersigned, hereby acknowledges that it is not a small entity as defined in 37 C.F.R. § 1.9(b)(f). As such, all fees to be paid regarding this application shall be paid as a large entity.

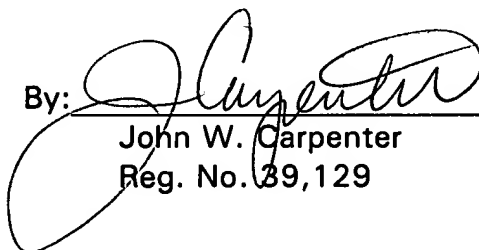
When originally filed, Applicant inadvertently checked the box indicating that Small Entity Status was desired. However, Applicant submitted fees which were consistent with Large Entity Status as evidenced by the enclosed copy of Check Number 1471 and the postcard filed on March 7, 2001. Subsequently, an Official Filing Receipt was received (copy enclosed) indicating Small Entity Status and stating that the fees paid were \$552, as opposed to the \$1,104 which was actually submitted by Applicant. A review of our Deposit Account records indicate that, to date, no fees have been refunded to Deposit Account #03-3821, as set forth in the Transmittal Letter of March 7, 2001 (copy also enclosed).

The undersigned now wishes to correct the record to reflect Large Entity Status. No supplemental filing fees are believed to be required since the full amount was originally sent at the time of filing the application. However, should the Commissioner believe that supplemental fees are owed, the Commissioner is hereby authorized to charge any additional fees (or credit any overpayment) associated with this communication and which may be required under 37 CFR § 1.16 or §1.17 to Deposit Account No. 03-3821, as set forth in the accompanying Transmittal Letter.

Dated: September 11, 2001

Respectfully submitted,

By:



John W. Carpenter
Reg. No. 39,129

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